**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE V.GIRI**

**WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929**

**WP(C).No. 34413 of 2007(V)**
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**PETITIONER:**
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**M.MOHANA KUMAR,**
**HEAD CLERK, OFFICE OF THE INTEGRATED TRIBAL DEVELOPMENT PROJECT, AGALI, ALAPAD.**

**BY ADV. SRI.B.S.SWATHY KUMAR**

**RESPONDENTS:**
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1. **THE COMMISSIONER FOR RURAL DEVELOPMENT, THIRUVANANTHAPURAM.**

2. **STATE OF KERALA, REPRESENTED BY ITS SECRETARY, LOCAL SELF GOVERNMENT DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.**

**BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

*KSS*

**V.GIRI,J.**

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**W.P ( C) No. 34413 of 2007**

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**Dated this the 21st November, 2007**

**J U D G M E N T**

The petitioner was promoted as Head Clerk with effect from 26.12.2006 and posted at Agali, Attapadi. When he came to know of a vacancy at Thiruvananthapuram, he made an application for the same on 23.2.2007. The same was not considered. When he came to know of a vacancy in Vellanad Block, again he submitted an application as per Exhibit-P3. Since the petitioner's request was not considered, he approached this Court in W.P. (C) No.25994/2007. The petitioner's request was directed to be considered in terms of the norms. Petitioner's request has been rejected under Exhibit-P5.

2. Mr. B.S.Swathi Kumar, learned counsel for the petitioner submits that the only reason stated in 'Exhibit-P5 to reject the petitioner's request is that he is due to retire only on 31.5.2019 and that he has completed only 10 months of duty at ITDP,Attapady. He also submits that there is no consideration in terms of Exhibit-P4.

3. In my view, it is proper for the petitioner to move the Government for considering his request for a posting in Trivandrum in terms of Exhibit-P4. The petitioner may make such request, within two weeks from the date of receipt of a copy of this judgment. If such representation is filed within the time frame, the Government shall consider the claim of the petitioner, within four weeks thereafter.

**(V.GIRI, JUDGE)**

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**K.THANKAPPAN,J**

**CRL.A. NO.92 OF 1999**

**ORDER**

**25th May, 2007**